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From: Wertenf
To: Wertenf

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF ROLF BUNGER, ET AL.

SERIAL NO.: 10/643,080

FILED: AUGUST 19, 2003

FOR: CELLULAR PHOSPHORYLATION POTENTIAL ENHANCING COMPOSITIONS, PREPARATION AND
USE THEREOF

APPLICATION FILED UNDER 37 CFR 111

MAIL STOP PATENT APPLICATION
COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

THIS IS IN RESPONSE TO THE OFFICE ACTION MAILES FROM THE U.S. PATENT AND TRADEMARK
OFFICE ON SEPTEMBER 13, 2006.

APPLICANTS WOULD TO ACKNOWLEDGE WITH SINCERE APPRECIATION THE COURTESIES EXTENDED
TO THEIR REPRESENTATIVE DURING THE TELEPHONE CONVERSATION ON MARCH 13, 2006.
ADDITIONALLY, IT IS NOTED THAT ALL CLAIMS REMAINING IN THIS CASE ARE CLEAR OF PRIOR ART
REJECTIONS, EXCEPT FOR THE 2 BUNGER PATENTS U.S. 5,536,751 AND U.S. 5,714,515. BOTH OF
THESE REJECTIONS HAVE BEEN OBIATED BY THE FILING OF TERMINAL DISCLAIMERS FOR EACH OF
SAID BUNGER PATENTS. FURTHER, THE INSTANT APPLICATION IS CLAIMING THE BENEFIT OF THE
EARLIEST FILING DATE OF THESES BUNGER CITED BY THE EXAMINER. THE EXAMINER IS REMINDED
THAT CONTINUITY EXIST BETWEEN THIS JOINTLY FILED C-I-P AND BOTH BUNGER PATENTS AND
THESES 2 PATENTS ALONG WITH ALL INTERVENING PATENT APPLICATIONS HAVE INCORPORATED BY
REFERENCE INTO THE INSTANT CASE.(PLEASE SEE DEFINITION FOR C-I-P APPLICATIONS IN THE
MPEP)

IN THE CLAIMS:

IN CLAIM 1, LINE 2, AFTER THE WORD "to", delete the words " prevent and/or";

PLEASE ADD NEW 20;

--CLAIM 20. A method on accordance with Claim 1, wherein the composition is a parenteral fluid.--

REMARKS

CLAIMS 1 TO 5 AND 7 TO 20 ARE IN THIS CASE. BASIS FOR CLAIM IS FOUND ON PAGE 32, LINE 12.